

CITY OF CROSSLAKE
COUNCIL PROCEEDINGS
PUBLIC HEARING AND REGULAR SESSION
August 14, 1989
7:30 p.m. at City Hall

The City Council for Crosslake Minnesota met in a Public Hearing and regular council session on August 14, 1989 in the Council Chambers of City Hall. The following Councilmembers were present: Mayor Kurt Anderson, Lyle Arends, Roger Burshem, Diana Gallaway and Charles Miller. Also present were approximately 32 citizens and Will Hoyt from Landecker and Associates.

Mayor Anderson called this meeting to order at 7:30 p.m. saying that the first item on the agenda was the Public Hearing to accept or make changes on the assessment roles for Milinda Shores and Daggett Bay Roads. Mayor Anderson turned the meeting over to Will Hoyt. Mr. Hoyt said that four letters had been received protesting the assessments. Mr. Hoyt said that in June of 1988 a hearing was held to discuss these projects and at that point based on public input the Council decided to proceed with bituminous resurfacing on these two roads. Mr. Hoyt stated that the City has a policy whereby the City will pay 60 percent and the property owners 40 percent on existing bituminous roads. The assessments against the property owners is the reason for the public hearing tonight. The assessment role was mailed out to all affected property owners and shows approximately \$47,000.00 in assessments which breaks down to a typical assessment of \$411.03 per lot for Daggett Bay, according to Mr. Hoyt. The assessment for Milinda Shores are two tiered with \$627.53 due for persons living on the end of the road that was gravel and \$388.47 for persons living on the portion of the road which was already bituminous. Mr. Hoyt stated that if the Council adopts the assessment role, affected property owners would have 30 days in which to pay the assessment in full with no interest. Any assessments not paid within that 30 days will be certified to the County and the assessments will show up on tax statements over a period of 5 years with interest at 8 3/4 percent per annum which is the interest that was charged for the road work in 1986. Mr. Hoyt stated that this hearing was to receive comments from residents either in writing or orally regarding the assessments. Mr. Hoyt proceeded to read the four letters received into the record (copies of those four letters are attached and become a permanent part of these minutes). Mr. Hoyt said he would make recommendations to the Council on each of the four letters. The first letter was from Michael J. Rutt and R. Paul Rutt regarding Lot 9 on Daggett Bay. Mr. Hoyt said that lot was divided somewhat and a small portion of it went to Lot 10. The small portion on Lot 9 is not buildable but the large portion is and Mr. Hoyt said he feels there should be an assessment on Lots 8, 9 and 10 since they are all buildable lots.

The next letter was from June Wallace who feels that she should not be assessed since the bituminous does not reach her property. Mr. Hoyt recommended that the assessment stands because she benefits even though the bituminous roadway does not touch her property.

The next letter was from Dean Eggena who owns property adjoining Daggett Bay (Old Log Headquarters) but is a second tier lot. Mr. Hoyt stated that

there were 8 lots that needed to be assessed in Old Log Headquarters so he chose the 8 and he was recommending to the Council that it stand.

Judy Eggena wrote that the lot she is assessed for is only used for fill and is unbuildable. Mr. Hoyt said that this lot is currently only used for stumps but it could be buildable some day and the Council could defer this lot until a permit is taken out on it.

Mr. Hoyt stated that those were the four written responses and asked if anyone present had any oral comments.

Gayle Bromander was present and asked how the assessment on each lot was determined. Mr. Hoyt stated that the assessment is based on a per buildable lot basis. Mr. Hoyt stated that some of the larger parcels of land have deferred assessments on them whereby if a building permit is ever taken out they will have to pay an assessment.

Mrs. Parsons said some washouts had occurred and no grass had been planted to keep down the erosion. Mr. Bromander said his back stakes were covered with the road work and Mr. Hoyt said he would take care of these.

Councilmembers Burshem and Miller said they accept the 8 lots that Mr. Hoyt chose but they feel that the assessment for Mrs. Eggena's lot should be deferred until a permit is taken on the lot to build. MOTION NO. 8PH-01-89 WAS MADE BY COUNCILMEMBER BURSHEM AND SECONDED BY COUNCILMEMBER MILLER TO ACCEPT THE ASSESSMENT ROLE AS PRESENTED WITH THE EXCEPTION OF DEFERRING THE ASSESSMENT ON PARCEL NO. 120093400BB0009 WHICH IS TO BE ASSESSED IF A BUILDING PERMIT IS EVER TAKEN OUT ON THE PROPERTY. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Clerk Buchite asked if anyone could appeal this decision and Mr. Hoyt said yes but it must be in writing and filed either with the City Clerk or the Mayor within 30 days and it will then be appealed to district court.

The next item on the agenda was Ordinance No. 22, Third Series dealing with garbage and refuse haulers. Clerk Buchite read the Ordinance with the proposed changes aloud. Mayor Anderson asked for comments and there were none. MOTION NO. 8PH-02-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE ORDINANCE NO. 22 THIRD SERIES AS READ. MOTION PASSED WITH COUNCILMEMBERS BURSHEM, GALLAWAY AND MILLER VOTING AYE. COUNCILMEMBER ARENDS VOTED NAY. Councilmember Arends said he is opposed because it could lead to other licenses and he does not think one business should be picked on.

Mayor Anderson adjourned this public hearing at 7: 55 p.m.

Mayor Anderson then called the regular session to order stating that the first item on the agenda would be the Consent Calendar. MOTION NO. 8R-01-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO APPROVE THE CONSENT CALENDAR CONSISTING OF: 1. THE MINUTES OF THE JULY 19, 1989 COUNCIL SESSION; 2. THE CLERK/TREASURER'S FINANCIAL REPORT FOR JULY, 1989; 3. THE TELEPHONE COMPANY'S FINANCIAL REPORT FOR JULY, 1989;

AND, 4. THE CABLEVISION'S FINANCIAL REPORT FOR JULY, 1989. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

CLERK'S REPORT - First item was bills for payment. MOTION NO. 8R-02-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO PAY ALL BILLS INCLUDING: 1. DONALD COULTER, SURVEYOR FOR CHECKING THE WHITE PINE SHORES PLAT FOR \$420.00; 2. INDEPENDENT PETROLEUM TO REMOVE THE GAS TANK FROM OLD CITY HALL PROPERTY FOR \$460.00; 3. ROAD, LUCAS, SCHELLHAS AND GAMMELLO FOR \$626.00; AND 4. XEROX CORPORATION FOR NEW CARTRIDGE AND DRY INK FOR \$360.00 MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

Clerk Buchite indicated for the record that the Councilmembers had been polled regarding having the parking lot sealed at the Community Center and all were in favor.

Clerk Buchite stated that the Council had also been polled regarding the Chopper Loose Band playing at Reed's Market for Celebrate Crosslake week and all Councilmembers were in favor.

The next item on the agenda was a letter from City Attorney James Gammello regarding Timberland Condominium and stating that he would not respond to the letter without Council approval. The Council requested that Marlowe Kingstedt, P & Z Coordinator, place this item on his agenda and bring a recommendation back to the Council.

Mayor Anderson polled the Council regarding serving 3.2 beer at the Donkey Ball game and none were opposed to it.

Mayor Anderson also polled the Council on sending a fire truck to the forest fires out West and none were opposed to it.

Clerk Buchite requested Council approval to transfer \$100,000.00 from 4-M Fund savings to the general checking account because payments are due on the new loader, new fire truck and the road contractors. MOTION NO. 8R-03-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER ARENDS TO APPROVE THE TRANSFER OF \$100,000.00 FROM THE 4-M FUND SAVINGS TO GENERAL CHECKING. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

The next item was approval to close out the Old Log Landing account with the release of the balance of money to Metro, Inc. according to the recommendation of Will Hoyt. MOTION 8R-04-89 WAS MADE BY COUNCILMEMBER BURSHAM AND SECONDED BY COUNCILMEMBER MILLER TO APPROVE THE CLOSING OF THE OLD LOG LANDING SAVINGS ACCOUNT AND TO TRANSFER THE INTEREST EARNED FROM THE ACCOUNT INTO GENERAL CHECKING. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

MOTION NO. 8R-06-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO APPROVE THE 30 DAY CERTIFICATE OF DEPOSIT THROUGH THE 4-M FUNDS SAVINGS. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHAM, GALLAWAY AND MILLER VOTING AYE.

MOTION NO. 8R-06-89 WAS MADE BY COUNCILMEMBER BURSHEM AND SECONDED BY COUNCILMEMBER GALLAWAY TO ALLOW THE CITY CLERK TO ATTEND THE MINNESOTA CLERKS AND FINANCE OFFICERS REGION II MEETING IN DULUTH ON AUGUST 24th AT THE COST OF \$7.00 PLUS MILEAGE. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

The next item on the agenda was a letter from Crow Wing Coop regarding policy changes which Clerk Buchite indicated was for Council information only unless they wanted something done regarding it. Discussion ensued regarding the placement of lights along the roadways. It was the consensus of the Council that it would be a very good idea to have the roads lighted but the City could not afford to have it done with 40 plus miles of roads in Crosslake.

Clerk Buchite indicated she would like to open a savings account at Northern National Bank to transfer funds so the general checking account does not exceed \$100,000.00. If funds would be transferred to Brainerd National Bank they would exceed the amount of pledged collateral which is \$250,000.00 Clerk Buchite said that David Anderson from Northern National Bank assured her that the City could have \$100,000.00 in both savings and checking and they would be covered individually. MOTION NO. 8R-07-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO ALLOW THE CLERK TO OPEN A SAVINGS ACCOUNT AT NORTHERN NATIONAL BANK. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

The next item was a letter from David Anderson of Northern National Bank requesting the release of pledged collateral. Clerk Buchite indicated that she was waiting for other collateral which Mr. Anderson had assured her was pledged but she had not received it. MOTION NO. 8R-08-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO NOT ALLOW THE CITY CLERK TO SIGN THE RELEASE FOR THE PLEDGED COLLATERAL UNTIL THE CITY HAD THE NEW PLEDGED COLLATERAL IN HAND. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Mayor Anderson opened the two quotes received for selling the old copier. The first quote was from the City of Jenkins for \$247.19 and the other was from Jerry Boe Insurance for \$205.00. It was the consensus of the Council that neither bid was high enough but it was not good to keep the old copier around. It was also the consensus of the Council that they would rather take the bid from Jerry Boe because he was a local businessman. MOTION NO. 8R-09-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER BURSHEM TO SELL THE OLD COPIER TO THE CITY OF JENKINS FOR \$247.19. MOTION PASSED WITH COUNCILMEMBERS BURSHEM AND GALLAWAY VOTING AYE, COUNCILMEMBERS ARENDS AND MILLER VOTING NAY AND MAYOR ANDERSON BREAKING THE TIE BY VOTING AYE.

MAYOR'S REPORT - Mayor Anderson said there were several people present that had requested to present a petition to the Council and he would allow them to do so at this time.

The spokesman for the group gave the Mayor a copy of the petition. He said they were informed that the Old Manhattan Club property had been sold and

the prospective owner was going to apply for a zoning change in order to turn the property into a gravel pit. The spokesman indicated that they had obtained 148 signatures of taxpayers in Manhattan Beach and Crosslake who are against having a pit at that location because the area is primarily residential, it will lower property taxes and there are already pits in the area. The spokesman indicated that they wanted to go on record as opposed to a gravel pit at that location, and it is so noted.

Mayor Anderson said that very little of that piece of property is in Crosslake and none of the pit area is. Mayor Anderson also said that it is possible that the section is already zoned commercial in Crosslake. Councilmember Arends stated that if the people opposed to the pit had bothered him they way they had bothered the prospective buyer they would be in trouble. Mayor Anderson said that the City of Manhattan Beach is where they should go to have it stopped if they wanted it stopped.

Mayor Anderson said he would like to have all Councilmembers attend the Regional meeting in Longville on September 14, 1989.

Mayor Anderson said that when the letter was sent to Brian Marshall of the U.S. Postal Service Mr. Marshall did not feel that the motion was clear enough or allowed the Mayor to sign the things that would need to be signed. Mayor Anderson said he then had Clerk Buchite type up a clarification of the motion and had all the Councilmembers sign it with the exception of Mr. Arends because Mr. Arends was not available. MOTION NO. 8R-10-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO MAKE THE CLARIFICATION OF MOTION NO. 7R-05-89 FOR THE U.S. POSTAL SERVICE A PART OF THESE MINUTES. THE CLARIFICATION STATES, "WE, THE UNDERSIGNED CITY COUNCILMEMBERS DO HERBY AUTHORIZE MAYOR KURT E. ANDERSON TO SIGN ALL DOCUMENTS RELATING TO THE SELLING OF A PORTION OF THE OLD CITY HALL PROPERTY TO THE U.S. POSTAL SERVICE FOR A NEW POST OFFICE. MAYOR ANDERSON HAS THE AUTHORITY TO SIGN ALL DOCUMENTS INCLUDING A PURCHASE AGREEMENT LISTING THE SELLING PRICE AT \$10,000.00." MOTION PASSED WITH COUNCILMEMBERS BURSHEM, GALLAWAY AND MILLER VOTING AYE. COUNCILMEMBER ARENDS VOTED NAY.

Councilmember Arends asked if the City would get more money now because the Post Office is getting more land by taking the property all the way to CSAH #6. Mayor Anderson said the City will not receive any more money but the City's costs will be less because there will not have to be any curb and gutter work done by the City.

Mayor Anderson informed the Council that soil tests done when the gas tank was removed at the Old City Hall showed that there was some contamination right under when the pump was but it was clean where the tank was buried. Pollution Control is aware of the contamination.

Mayor Anderson said he had prepared a purchase agreement to purchase some land next to the Cemetery from Free Wheeling for \$8,000.00. Mayor Anderson said he will also request an option to purchase the approximate acre in back to square off the Cemetery if Free Wheeling is ever sold.

COMMISSION REPORTS - Joann Jernall, Chairman said the Commission has met with the Funding and Future Development Commission regarding the Nature Trails and they hope they can work together on them. She also stated that the Auxillary had had the Dam Run with 72 runners and a Donkey Ball game. Ms. Jernall also stated that the Jenkins VFW has donated \$500 towards a new tennis court and the Auxillary has put that into the bank. Mayor Anderson said the Auxillary is in need of volunteers.

PLANNING AND ZONING - Marlowe Kingstedt, P & Z Coordinator commented on extending the commercial zoning to the City limits on the North and South. Mr. Kingstedt said the first work appears to have been done June 24, 1982 but gets rather hard to track because the Commission chairman resigned and the Mayor died. Mr. Kingstedt read Motion No. 12R-17-84 reads "----- . THAT THE ZONING MAP FOR THE CITY OF CROSSLAKE BE APPROVED AS PRESENTED WITH THE CHANGES THE PLANNING AND ZONING MADE." Mr. Kingstedt stated that early in 1985 the official zoning maps did arrive and have since been used and that they are dated October, 1984. Mayor Anderson asked Mr. Kingstedt to bring a recommendation to the next council meeting.

CEMETERY - Mr. Arends said it appears as though our cemetery lots may be selling too cheap to non-residents because some Brainerd residents are buying them. Clerk Buchite said she called the Evergeen Memorial Gardens in Brainerd and their lots sell for \$250 each and there can be only two cremations on each lot. Swanburg Cemetery plots sell for \$125.00 and can accommodate 4 coffins (averages \$31.25 per lot). Crosslake fees are \$50.00 for residents and \$150.00 for non-residents. Mr. Arends said he feels that non-resident site fees should be raised because the City has to pay for perpetual care and it should benefit City taxpayers. It will be discussed at the September council meeting.

PUBLIC SAFETY - Mayor Anderson read the minutes of the Public Safety meeting. Police Chief John Backdahl requested permission to start the selection process to replace Sargeant Don Coulter who has given notice of resigning effective April 30, 1990. MOTION NO. 8R-11-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER ARENDS TO ALLOW CHIEF BACKDAHL TO PROCEED WITH THE PROCEDURE TO HIRE A NEW POLICEMAN TO REPLACE SARGEANT DON COULTER. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Mayor Anderson said according to Chief Backdahl the New Six Task Force is having problems this year and this is the group the Crosslake Police Department is involved with. Chief Backdahl requested that if they continue to have problems he be allowed to join the Heartland Drug Task Force for one year at an estimated cost of \$2,000.00. The Commission approved this request. MOTION NO. 8R-12-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER MILLER TO ALLOW CHIEF BACKDAHL TO SWITCH TO THE HEARTLAND DRUG TASK FORCE GROUP. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE. Chief Backdahl will keep the Council informed as to what is happening.

Chief Backdahl is requesting a third full-time officer in place of the three part-time officers. Amounts to approximately 400 additional hours

of pay per year but the City's liability will be greatly diminished, according to Mr. Backdahl.

Fire Chief David Schliek requested approval to purchase some equipment which was budgeted for. MOTION NO. 8R-13-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER BURSHEM TO PURCHASE 2 SCBA UNITS, 10 MOTION ALARMS AND 1 BUDDY BREATHING HOSE AT THE COST OF APPROXIMATELY \$3,800.00 MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

MOTION NO. 8R-14-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER MILLER TO APPROVE THE PURCHASE OF ONE MOTOROLA MT-1000 AS RECOMMENDED BY THE PUBLIC SAFETY COMMISSION AT THE COST OF APPROXIMATELY \$750.00 AS A BUDGETED ITEM. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

The Public Safety Commission recommended that the \$5,000.00 in Capital Outlay Funds be used towards the purchase of the new fire truck. MOTION NO. 8R-15-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE THE EXPENDITURE OF \$5,000.00 IN CAPITOL OUTLAY FUNDS OF THE FIRE DEPARTMENT BUDGET FOR THE NEW FIRE TRUCK. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Chief Schliek informed the Councilmembers that the fire truck is not needed out West for the forest fires at present, but Crosslake is number one on the list if the need arises.

Chief Schliek had prepared a letter of intent as to the costs of redoing the fire hall or the possibility of building a new fire hall. Mayor Anderson said he would like the Council to approve having a structural engineer look at the building. MOTION NO. 8R-16-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER BURSHEM TO HAVE A STRUCTURAL ENGINEER EVALUATE THE FIRE HALL BUILDING. Mayor Anderson said he will try to get ahold of Culver-Whitcomb to get some ideas from them. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Mayor Anderson said the Council will discuss the fire chief receiving payment for special meetings at the next Council meeting.

Chief Schliek told the Council that the copy of the By-laws that they received is mainly a change from "he" to "he/she" since the department now has a female on the force. They were also updating a few things such as requirement of annual physicals, no facial hair with the exception of three members who are grandfathered in. Mayor Anderson requested that the Council be allowed to study it until next month.

Councilmember Gallaway said she would like to get a seminar set up with Fifty Lakes, Mission and Ideal Corners Fire Departments, the Crosslake Police Department and ambulance crews regarding the Right-To-Know. John, David and Arlene will work together to set it up.

UTILITY COMMISSION - Mr. Burshem said he had nothing to report.

ROAD COMMISSION - Councilmember Miller said the newly hired maintenance man quit abruptly so he contacted the man who was next on the list and requested Council approval to appoint Michael Teems as maintenance assistant. MOTION NO. 8R-17-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER BURSHEM TO APPROVE THE HIRING OF MICHAEL TEEMS AS THE MAINTENANCE ASSISTANT FOR THE CITY OF CROSSLAKE AT \$7.00 PER HOUR. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Mr. Miller said he would also like the approval of Ken Kullgren as an alternate on the Road Commission. Mr. Kullgren is not available during the winter months. MOTION NO. 8R-18-89 WAS MADE BY COUNCILMEMBER ARENDS AND SECONDED BY COUNCILMEMBER GALLAWAY TO HAVE KEN KULLGREN AS AN ALTERNATE ON THE ROAD COMMISSION. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Mr. Will Hoyt was present and informed the Council that there was not a quorum present at the public meeting on August 11, 1989 so he would give the Council his recommendations. Three requests had been received for road work for 1990 and they were Lakeshore Drive in the Sandcrest Addition, Rushmore Boulevard and Riverwood Lane and it appears as though more than 50 percent of the affected parties have agreed to pay for the roadwork, according to Mr. Hoyt. MOTION NO. 8R-19-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER GALLAWAY TO INSTRUCT LANDECKER AND ASSOCIATES TO PREPARE A REPORT FOR THE THREE ROADS CONSIDERED FOR BLACKTOPPING IN 1990. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Mr. Hoyt said there are some non-assessment roads that should be considered for next year also and they are McClintock Road and Wilderness Road. These would be considered as maintenance items. Councilmember Gallaway asked about the Silver Peak Road and was informed that the petition had not been received nor was anyone at the public meeting on behalf of the road.

Walt Kocon was present and said he feels that the people on Rushmore Boulevard were misinformed because it will probably take more preparation and Class #5 before the bituminous can be laid and it will probably cost more than the people think. Mr. Hoyt said he has been informing people that the cost can be between \$1,000 and \$1,200. Mr. Kocon said he hates to see the City waste money on a study.

Mayor Anderson said he would like Mr. Hoyt to tell him what responsibility for the road construction is the City's and what is the engineers because he does not think that the Street Supervisor should be inspecting the road work. Mr. Hoyt said they do periodic inspections and have a man there full time when they are paving. There were two pavers going at one time, according to Mr. Hoyt and the City man was helping out. Mayor Anderson said he does not want the City man there because it is the responsibility of the Engineer to oversee the job. Councilmember Miller said that whatever the City buys or does the City employees should be aware of what is taking place in the interest of the City. Mr. Miller said that when the roads are being built it is to the benefit of the City to have Pat check

them out. A brief discussion followed with pro and cons on the City employees overseeing the road work.

Pat Hoag, Maintenance Supervisor, said he and his assistant have done some work on McClintock Road. He also stated he called for quotes for Class #5 and they were \$6.36 a yard delivered from William Libby of Emily, \$7.50 a yard delivered to the site from Guy Wannebo and \$7.20 a yard delivered from Pequot Sand and Gravel of Pequot Lakes.

Councilmember Arend said he located a pit with gravel for sale for about \$3.00 a yard but the City has to haul it. Councilmember Miller said he would like to see the City go out for bids if they do not get the one Mr. Arends was talking about.

Fuel Storage Tanks - Discussion ensued regarding fuel storage tanks. Clerk Buchite indicated she had called our insurance agent and he is very unsure what is going to happen with storage tanks and suggested we convince one of the local service stations to install a credit card operated pump to gas can be obtained at any time of the day or night.

Pat Hoag said he had received a quote of \$470 per tank to build a structure around the tank for above the ground tanks.

Councilmember Gallaway asked if the City had received a survey or easement for Chatham Park and was informed that nothing has been received.

Two payment plans were discussed for the loader. MOTION NO. 8R-20-89 WAS MADE BY COUNCILMEMBER GALLAWAY AND SECONDED BY COUNCILMEMBER BURSHEM TO GO WITH SCHEDULE B FOR THE PAYMENT PLAN ON THE LOADER WHICH PAYS \$5,000.00 ON THE PRINCIPAL PLUS WHATEVER INTEREST IS DUE WITH THE UNDERSTANDING THAT IF INTEREST RATES GO BELOW 8 PERCENT WITH THE 4-M FUNDS, THE CITY MAY PAY IT OFF EARLY. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

FUNDING AND FUTURE DEVELOPMENT - Dean Swanson, Chairman was present to say that the Commission would be touring the fire hall and would like to receive the report from the structural engineer when it is available. Mr. Swanson also said the Commission is working with the Park Commission on the Nature Trails.

PERSONNEL - Mayor Anderson said things were running smoothly. He said he would like every department to be working on their budgets and he would like to call a special meeting on August 31, 1989 and start with the Road Department at 9:00 a.m.

NEW BUSINESS - Nothing.

OLD BUSINESS - Clerk Buchite said she had called the League and they informed her that since we did not receive any bids for purchasing gasoline, we could call for quotes on a given day. (Our purchases do not exceed the maximum allowed).

No commitments from neighboring cities on the ambulance subsidy.

Councilmember Gallaway asked if a letter had been received regarding the lease for Jim Gallati and Clerk Buchite indicated none had been received. Mayor Anderson said he was going into Brainerd and would stop to see Mr. Hamilton. Mr. Anderson said he was also going to ask Mr. Hamilton how the Department of Natural Resources could now sell leased lots when they have been saying for years that nothing over 50 feet in width and that is tax forfeit can be sold.

Councilmember Gallaway asked about the stairway on Manhattan Beach that is on the dedicated parcel of land. Mayor Anderson said it is probably the City's land but without an attorney's opinion he's not sure. MOTION NO. 8R-21-89 WAS MADE BY COUNCILMEMBER BURSHEM AND SECONDED BY COUNCILMEMBER GALLAWAY TO PRESENT THE QUESTION REGARDING THE CITY'S LIABILITY FOR THE MANHATTAN BEACH STAIRWAYS TO THE CITY ATTORNEY FOR AN OPINION. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

PUBLIC FORUM - Comments from the audience were received both for and against the city employees being involved in inspecting roads that the City Engineer is working on. A gentleman from the audience said that normally the City Engineer is responsible for shortcomings. The roadwork does not become the City's until the City takes possession and at that point, if something is wrong the City has recourse against the Engineering firm. He suggested that the City Attorney be consulted regarding this.

Councilmember Miller said our City man does not inspect but he must be available for questions and concerns from citizens. He gave as an example when the trees were cut for the Dream Island work, the residents called City Hall, the maintenance man, the Mayor and himself and those are the things he says the City can oversee.

Mayor Anderson said that the City is paying the engineering firm to take care of the road projects and if something is wrong they should be responsible. Mr. Hoyt said the contractor is the one who is responsible and the engineering firm is there to protect the City's interests.

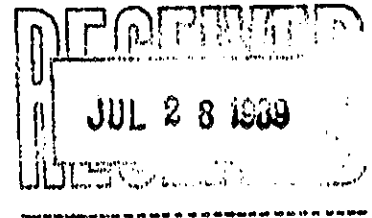
MOTION NO. 8R-22-89 WAS MADE BY COUNCILMEMBER MILLER AND SECONDED BY COUNCILMEMBER BURSHEM TO ADJOURN THIS REGULAR COUNCIL MEETING AT 10:10 P.M. MOTION PASSED WITH COUNCILMEMBERS ARENDS, BURSHEM, GALLAWAY AND MILLER VOTING AYE.

Recorded and transcribed by:


Arlene A. Buchite

July 26, 1989

City of Crosslake
Attn: City Clerk
Crosslake, MN 56442



Dear Mrs. Buchite:


I am writing this letter to protest the proposed assessments against the property I have highlighted in yellow on the attached sheet.

The lot concerned is located within the Plat of Old Log Headquarters (Lot #14, Block 2) and none of the lot lines border the Daggett Bay Road. Am I to understand that the Assessments are being applied to second tier lots and property as well as the property bordering the road that has been newly surfaced? If so, I feel there should be some thinking re-done.

How am I to be guaranteed that when and if Old Log Headquarters is ever assessed for bituminous surfacing, I will not be assessed a second time? We do not use the Daggett Bay Road for access to our property, we use the main access to the Old Log Headquarters.

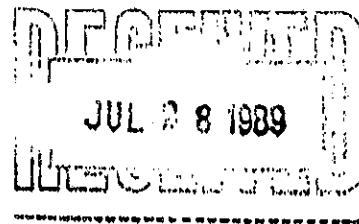
Assessing second tier property is definately an unfair system. If that is what is happening here, please consider this letter official notification of my objections. If the Assessment Roll is in error, please correct the mistake and notify me accordingly.

Thank You.


Dean A. Eggena
P.O. Box 400
Crosslake, Mn 56442

July 27, 1989

City of Crosslake
Attn: City Clerk
Crosslake, MN 56442



Dear Mrs. Buchite:

Please consider this letter written objection to the proposed Assessments shown on the attached Assessment Roll. I have shown the property in question highlighted in yellow.

The property is an un-buildable lot and is used strictly for a "fill pit". An on site inspection would reveal that the lot has no other purpose. Secondly, the property directly to the North of this lot is also owned by us. The fill pit is accessed from Lot # 14, Block 5 Old Log Headquarters and will be used to dump clean fill and brush from clearing our lots in Old Log Headquarters.

If it is necessary for me to appear at the Assessment Hearing on August 14th, please give me a call at 692-4185; otherwise, I will assume that this letter will serve as my objection.

Sincerely,

Judy L. Eggena
P.O. Box 400
Crosslake, MN 56442

Arlene Butchite
City Clerk
City of Crosslake
HC-83, Box 114
Crosslake, MN 56442

P. H. B
August 11, 1989

Dear Arlene,

I would like to make a formal appeal concerning the assessment on Daggett Bay Lot 9.

In the preliminary assessment it was noted that part of Lot 9 had in fact had been sold to R. Mildo/R. Graves from B. Fogelberg/P. Rutt. I have enclosed a copy of a report conducted by Crow Wing County Abstract Company. Please refer to point 5, stating that twenty five feet had be sold to the R.Mildo/R. Graves party.

I believe we are not responsible for the full assessment that has been levied on Lot 9 Daggett Bay.

Your prompt consideration to this matter is appreciated.

Sincerely,


Michael J. Rutt

Michael J. Rutt/R. Paul Rutt
3225 Holmes Ave. So.
Mpls., MN 55408
(612) 822-8618

cc: S. Miller P.A.
file

August 14, 1989

City Council
City of Crosslake
Crow Wing County, Minn.

To Whom it may Concern:

Re: Assessment for blacktop

I do protest the assessment for blacktop against my property, for the reason that the said blacktop does not touch my property. Said blacktop ends approximately 32 and $\frac{1}{2}$ feet away from my property line. Legally, I believe you cannot assess me for blacktop that does not reach my property.

Thank you for your attention to this.

Respectfully yours,

Mrs. June Wallace

Mrs. June Wallace
General Delivery
Crosslake, Minn. 56442